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2014 JUL 18 PM 3:29

OFFICE OF GENERAL
COUNSEL

July 11, 2014

VIA U.S. FIRST CLASS MAIL

Federal Election Commission
General Counsel Office
999 E Street, N.W.
Washington, DC 20463

MUR # 6855

Re: *Complaint - Justin Amash and Amash Imports, Inc. (dba Michigan Industrial Tools)*

Dear Sir:

This complaint is filed pursuant to 2 U.S.C. § 437g and 11 C.F.R. 111 against U.S. Representative Justin Amash, Justin Amash for Congress Committee and Michigan Industrial Tools, Inc. for potential violations of the Federal Election Act. A review of public records filings shows that Justin Amash and his campaign may have received prohibited contributions from Amash Imports, Inc. (now Michigan Industrial Tools, Inc.).

The Federal Election Campaign Act (Act) and the Federal Election Commission (FEC) regulations require that a person filing a complaint clearly recite facts, setting forth specific violations of statutes and regulations under the Commission's jurisdiction. This letter sets forth specific violations of 2 U.S.C. §441b - Prohibition on corporate contributions; and 2 U.S.C. § 441f - prohibition of contributions in the name of another.

BACKGROUND:

According to Mr. Amash's United States House of Representatives Financial Disclosure Statement (Candidate), from January 1, 2009 to April 30, 2010, his annual salary at Amash Imports, Inc. (now Michigan Industrial Tools, Inc.) was \$60,000 for the preceding year. He received \$20,000 for the first four months of 2010.

http://pfds.opensecrets.org/N00031938_2009_nom.pdf (page 2 of 6).

During all of 2010, Justin Amash received \$200,000 from Amash Imports, Inc., meaning he received a salary of \$180,000 from May 1, 2010 to December 31, 2010. This was during his U.S. House primary campaign race (August 3, 2010) and immediately after the general election (November 2, 2010). Based on his prior annualized salary, Justin should have been paid only \$40,000 from May 1 to December 31. http://clerk.house.gov/public_disc/financial-pdfs/2011/8201261.pdf (Page 2 of 6).

CAMPAIGN FINANCE VIOLATIONS

A candidate employed by a corporation can receive a salary or wages earned from their bona fide employment, and such payments are considered that candidate's personal funds. 100.33(b). However, compensation paid to a candidate in excess of actual hours worked, or in consideration of work not performed, is a contribution from the employer. 113.1(g)(6)(iii). If the employer is a corporation, the excess payment would result in a prohibited contribution under the regulations applicable to that employer. 114.2(c).

No Amash Imports, Inc. contribution was reported on Amash's campaign FEC report, yet his compensation was in excess of any reasonable amount he could have earned for his work.

Becoming a Member of Congress effectively prevents Amash Imports, Inc. from paying Justin Amash a significant salary since Members of Congress are limited to how much "earned" income (i.e., salary) they can receive outside their congressional salary. In 2011, the outside income limit was \$26,955. <http://ethics.house.gov/posts/faqs/outside-employment>. There are no limits on "unearned" income, such as dividends, capital gains, or income from ownership in privately-held companies.

Justin Amash was given part ownership in the business just prior to joining Congress. Shortly before he was sworn into office as a Congressman, Justin Amash received a gift from his father of part ownership of Amash Imports, Inc. He now receives \$100,001 to \$1 million annually as "corporation income", which is allowable because it is "unearned" income. Once in office, Amash Imports, Inc. could no longer pay Justin Amash a salary. He was given a portion of the company so Amash Imports, Inc. can still pay him each year.¹

Amash did not own this asset in 2010 because he reported zero income for the asset in 2010, while the following years he received between \$100,001 and \$1 million of "corporate income" as an owner of Amash Imports, Inc.²

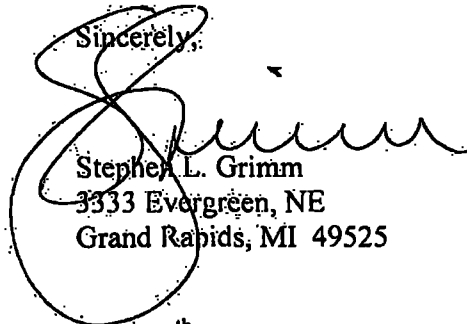
These personal financial disclosures show that the \$180,000 in payments from May to December 2010 were not investment income from the company to Justin Amash but were potentially improper corporate contributions.

¹ According to Amash's 2010 Personal Financial disclosure report, he became an owner of Amash Imports (now Michigan Industrial Tools) by a "gift from father" at the end of 2010 just before he was sworn in as a Member of Congress. http://clerk.house.gov/public_disc/financial-pdfs/2011/8201261.pdf (page 3, line 1).

² 2011 (page 4, 4th line): http://clerk.house.gov/public_disc/financial-pdfs/2012/8205347.pdf
2012 (page 3, 4th line): http://clerk.house.gov/public_disc/financial-pdfs/2013/8210794.pdf
2013 (page 2, last line): http://clerk.house.gov/public_disc/financial-pdfs/2013/10001877.pdf

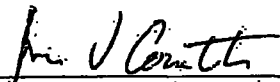
Thank you for your prompt attention to this matter. Please do not hesitate to contact me with any questions.

Sincerely,



Stephen L. Grimm
3333 Evergreen, NE
Grand Rapids, MI 49525

SWORN TO AND SUBSCRIBED before me this 11th day of July, 20014.



Notary Public Jon V. Corsetti
Kent County, MI

My Commission Expires: 1/3/17

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